

**cunnane**

town planning

Our Ref: TL/MCR/3752/SDC/100111  
Your Ref: 2010/1143/FUL

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Mr Richard Sunter  
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**BY EMAIL AND BY POST**  
10 January 2011

Dear Mr Sunter

**PLANNING APPLICATION REFERENCE 2010/1143/FUL – THE RESURFACING OF CAR PARK TO INCLUDE THE FORMAL DELINEATION OF 143 CAR PARKING BAYS, 3 DISABLED BAYS AND 4 MOTORCYCLE AND INCLUDING AMENDMENTS TO ACCESS AND EGRESS JUNCTION AND DRAINAGE WORK AT CENTRAL AREA CAR PARK, CHAPEL STREET, TADCASTER.**

Further to your letter dated 19 November 2010, we write on behalf of our client, Samuel Smith Old Brewery (Tadcaster) ("SSOBT"), to provide our observations on the above-mentioned planning application.

For your convenience, our comments have been broken down into a number of sub-headings and these are as follows:

#### **Chronology of Events**

The planning history section within the Planning Statement is very brief and ignores the fact that past attempts to grant planning permission for similar proposals on this site have been quashed. Therefore, we set out a detailed chronology of events below.

In 2002, North Yorkshire County Council ('NYCC') undertook a consultation exercise relating to a proposed Tadcaster Traffic Management Strategy. Three options for managing traffic movements were considered:

- Option A involved a range of proposals to improve road safety in Tadcaster, the main proposal of which was to include an extended 20mph zone for the town centre with certain traffic calming measures;
- Option B involved introducing a one-way operation of traffic southbound using Westgate and Chapel Street, and a one-way operation of traffic northbound on St Joseph's Street. A section of Kirkgate would be closed enabling pedestrianisation for part of the day; and.

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- Option C involved a "point closure" on Chapel Street, leaving the southern end of that street for two way operation into and out of the central area car park in the Town Centre, and the northern end for two way local access only to properties on the street. A section of Kirkgate would be closed enabling pedestrianisation for part of the day.

On 10 September 2002, SSOBT submitted a planning application for:

*"The comprehensive regeneration of Tadcaster Town Centre comprising demolition, re-siting of market, relaying of Central Area Car Park, traffic circulation, landscaping and various development including: Sites 1 to 10 High Street, land off St Joseph's Street and 1/3 Station Road."*

On 11 September 2002, NYCC's Environmental Services Selby Area Committee considered the results of the consultation that had been carried out in respect of the Traffic Management Strategy. The Committee resolved at that stage to adopt a Traffic Management Strategy including the proposals in Options A and B, but no decisions were taken as to the implementations of those measures.

On 25 October 2002, the Council applied to itself for the grant of planning permission under planning application 8/73/195AS/PA for:

*"Proposed refurbishment of existing car park including resurfacing, new lighting, landscaping and erection of replacement public conveniences at Central Area Car Park, Tadcaster."*

On 19 March 2003, the Council's Planning Committee resolved to grant planning permission to itself for the development proposed under planning application 8/73/195AS/PA.

By decision notice dated 30 April 2003, Selby District Council granted planning permission to itself for the development proposed under planning application 8/73/195AS/PA.

By letter before claim dated 23 May 2003, Pinsents Solicitors on behalf of SSOBT, wrote to the Council summarising the grounds upon which it contended that the grant of planning permission was unlawful and should be quashed.

By letter dated 6 June 2003, the Council confirmed to SSOBT that it was prepared to consent to an abbreviated claim being presented to the Administrative Court and to an order quashing the planning permission (LPA ref: 8/73/195AS/PA) dated 30 April 2003.

On 1 August 2003, a consent order was signed by both SSOBT and the Council.

On 13 August 2003, the High Court granted SSOBT permission to bring Judicial Review proceedings and quashed planning permission 8/73/195AS/PA dated 30 April 2003 (claim no. CO/3227/2003).

On 10 October 2003, SSOBT was granted planning permission by Selby District Council ('SDC') for its town centre redevelopment scheme.

On 29 April 2004, Cunnane Town Planning received a letter from the Council stating that it had received a planning application (LPA ref: 8/74/159AT/PA) from itself for:

*"Proposed refurbishment of existing car park including resurfacing, new lighting landscaping and erection of public conveniences at Central Area Car Park, Chapel Street, Tadcaster."*

On 28 May 2004, Cunnane Town Planning submitted representations of objection to planning application 8/74/159AT/PA.

On 9 June 2004, the application was presented to Planning Committee with an Officer recommendation for approval.

On 13 July 2004, Cunnane Town Planning wrote to the Government Office for Yorkshire and Humber inviting the Secretary of State to call-in the decision for his own determination.

By letter dated 22 July 2004, the Council referred the planning application to the Government Office.

The Government Office noted receipt of the notification by letter dated 23 July 2004.

On 2 August 2004, the Government Office wrote to the Council stating that the Secretary of State was not calling -in the application and was permitting the local authority to determine the application.

On 16 September 2004, the Council issued a Decision Notice granting itself planning permission for the refurbishment works.

By letter dated 14 October 2004, SSOBT's solicitors wrote a letter before claim to the Council.

On 25 January 2005, the High Court granted SSOBT permission to claim Judicial Review.

On 5 May 2009, the Council consented to an order quashing planning permission 8/73/159AT/PA.

On 5 December 2010, Conservation Area Consent was granted for the demolition of the former public convenience building located within the central area car park.

### Land Ownership

We note that the planning application excludes land over which our client has direct control over. However, there are a number of rights of access to land and buildings which are impinged upon or indeed completely obstructed by the proposals as they currently stand.

Clearly, if development were to be carried out on land to which there is a right of access, this is an issue to which our client would wish to raise an objection. These concerns relate primarily to the rear of 10-30 (even numbers) High Street, 11 Kirkgate and land to the rear of 30 Kirkgate. We consider in turn each of these areas of concern.

Firstly, we examine 10-30 (even numbers) High Street. By virtue of the transfer to Selby District Council on 20 June 2002, our client enjoys a right of access across the land to the rear of these properties. You will be aware that our client has taken steps to protect the rear curtilage of these properties by bollarding an area of land in order to prevent car parking upon land within SSOBT's ownership. Our client has serious reservations regarding the adequacy of access to this land if the proposed scheme were to proceed.

Specifically, our client is concerned as to whether sufficient turning circles have been accommodated to allow service vehicles to access the rear of these properties. Clearly,

circulation patterns around the car park need to be sufficient to accommodate such vehicles accessing the rear of these properties, without causing a nuisance, obstruction or impacting on the safe operation of the car park. Having assessed the white lining layout plan submitted as part of the application, it would appear that the applicant has failed to provide adequate aisle width to allow this to be achieved.

Secondly, an area of land to the rear of 11 Kirkgate has again been proposed for the development of public car parking spaces. Similarly, our client benefits from the legal right of access established by a restrictive covenant contained in the registered title for the property. In both our previous objection letters to Selby District Council's proposals for the Central Area car park we objected to development in this area as it prevented access to the rear of this building. We reiterate this objection.

You will also be aware from our previous letters that a similar right of access exists for the owners of 3 and 5 Kirkgate. It would appear that the current proposals would obstruct these access points.

Finally, in addition to the above, we wish to object to the treatment of the land to the rear of 30 High Street. This area of land benefits from an access onto the central area car park immediately adjacent to the proposed cycle/motorcycle storage and parking bays. This access way is currently controlled by a removable bollard and needs to be maintained in order to provide safe access to this site for maintenance and future use. The District Council's proposals currently include cycle/motorcycle storage, including associated rails and stands, and car parking spaces that would prevent access to this site. Clearly, our client wishes to maintain current access arrangements to this site from the Central Area Car Park and objects to any interference with the existing arrangements.

Accordingly the proposals submitted by the applicant appear to be unimplementable in practice and therefore on this basis alone do not merit the grant of planning permission.

#### **Car parking provision**

From the plan provided and an examination of the application file, it is clear that the proposal includes provision for 146 car parking spaces that have been set out in the application on a simple linear basis. However, as a result of the ownership and access constraints cited above and the issues raised below, this provision is likely to be significantly reduced.

In addition to the spaces lost as a result of the access constraints raised above, spaces will be lost by virtue of landscaping and the need to provide adequate provision for people with disabilities. The current plans do not indicate any landscaping, however, paragraph 5.4.13 of the Planning Statement states:

*"New planting could add more appropriate green elements to the space which will break up the expanses of hardstanding and soften the visual impact of the Site. Consequently the Applicant would be willing to accept an appropriately worded condition to cover landscaping as part of any grant of planning permission."*

However, no space has been set aside to achieve this landscaping. Whilst the applicant may well be willing to accept a condition, it has to be achievable. This information needs to be received in advance of a decision being made to see what impact it will have on parking numbers. In addition, inappropriate landscaping may also have an impact on the Conservation

Area and this matter needs to be assessed at the application stage. This will be discussed in further detail below.

Furthermore, upon reviewing the white lining plan, it is clear that, firstly, there are not enough spaces to cater for people with disabilities; and, secondly, the spaces available are not provided with adequate circulation. Various guidelines, including Manual for Streets, Traffic Advisory Leaflet 05/95, Inclusive Mobility and British Standard 8300:2009 provide guidance on these particular issues.

#### *Provision*

Currently, there are 4 car parking spaces to cater for people with disabilities within the existing car park; however, the current proposal only provides 3. This is significantly below the level that should be provided. Whilst not specifically related to public car parks, Local Plan policy VP4 states that for shopping development and places open to the general public where up to 200 spaces are required, 6% capacity should be set aside for people with disabilities. This is consistent with the advice contained within BS 8300:2009, Inclusive Mobility and Traffic Advisory Leaflet 05/95; which each advise that at least 6% should be set aside for people with disabilities. The current proposal provides a total of 146 spaces and, therefore, 8 spaces should be set aside for the needs of disabled persons. The current proposal falls short of this requirement by 5 spaces, which is a significant shortfall.

#### *Layout*

Paragraph 5.6.2 states:

*"The space between the bay rows will be 6 m, which provides sufficient turning space for vehicles existing the bays in accordance with Manual for Streets (2007)."*

This is not correct. According to the plans, this distance between the centre aisles is 5.8m. Around the perimeter of the site, the aisle width reduces to as little as 4.8 metres. Clearly this does not meet with current design guidelines, as it does not provide sufficient turning space for vehicles.

The White Lining Layout plan shows 3 disabled spaces in the northwest corner of the site. All three of these spaces are lacking in suitable circulation space. The documents referred to above recommend that parking bays are designed so that drivers and passengers, either of whom may be disabled, can get in and out of the car easily. They should allow wheelchair users to gain access from the side and the rear and be large enough to protect people from moving traffic. Therefore, there needs to be 1.2 metres of circulation space around the sides and rear of each space. The current proposal does not provide any circulation space to the rear of the bays and one of the bays only has circulation space on its right hand side. This is inadequate and fails to meet current design guidelines.

Clearly, when these issues are addressed, it will have an impact on the level of provision. Firstly, providing 8 disability bays will reduce numbers due to the additional space required for the bays and; secondly, the rear circulation space will reduce the aisle width at this part of the site to below 5 metres. I consider this will reduce provision by at least 6 spaces at this part of the site. When the access issues are taken into consideration, this loss will be even greater.

In summary, it is clear that the level of provision purported in the application cannot be achieved without breaching applicable guidelines and, therefore, there will be a reduction to the

existing provision. Again, for this reason alone the proposal is inherently unacceptable and there is no proper or reasonable basis for the grant of consent. There is, of course, an alternative scheme for which SSOBT has received planning permission. This scheme would result in a comprehensive redevelopment of Tadcaster town centre including both this and other sites throughout the town. We shall discuss this scheme later in the letter, but it is important to note at this stage that SSOBT's alternative scheme would actually result in an increase in car parking spaces in the town centre to the benefit of the town's economic, social and environmental resources.

### Impact on Listed Buildings and the Conservation Area

You will be aware that the historic core of Tadcaster is included within a Conservation Area and that there are a number of important listed buildings adjoining and in close proximity to the boundary of this application site; not least the grade II\* Old Vicarage and the grade II\* Ark on Kirkgate.

Policy HE6 of PPS5 states:

*"Local planning authorities should require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset."*

You will be aware that the Council, acting as local planning authority and land owner, has previously underestimated the importance of these assets. Information has been gathered from the renovation of the Old Vicarage revealing a wealth of unknown facts about the building, its environment, history and the past of Tadcaster.

In considering development that may affect the setting of this and other listed buildings in the area, advice contained within policy HE7.5 states:

*"Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use."*

From our assessment of the application plans, there would be damage to the setting of these historic buildings and the character of the wider Conservation Area through the use of large areas of inappropriate and unsympathetic surfacing materials, insufficient landscape proposals and inappropriate detailing such as cycle storage and security rails such that the proposals would breach the statutory duties imposed upon the Council.

Surfacing of the car parking area in a tarmac finish is completely inappropriate for a redevelopment scheme such as this, as the Planning Officer acknowledged in his report to Committee prior to the Council purporting to grant itself planning permission dated 30 April 2003. He stated *"The reuse of a tarmac finish is not considered by the council to be a suitable material for use in this important Conservation Area."* Nothing has changed in this regard.

The key test for assessing development within conservation areas is to ensure that any proposal either preserves or enhances the character of the conservation area in which it is situated. In this case the laying out of a large area of tarmac could not in any way be perceived as

enhancing the unique character of the Tadcaster Conservation Area. The question is then raised as to whether the proposal is even conducive to the preservation of this unique character. Paragraph HE10.1 of PPS5 provides the following guidance:

*"When considering applications for development that affect the setting of a heritage asset, local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset."*

Clearly, from an assessment of the Councils proposals it is apparent that the resurfacing of the car park with inappropriate materials, and of an unsympathetic design fails to meet the requirement of this policy. The application proposes development which neither makes a positive contribution to the character or appearance of the conservation area, nor leaves it unharmed and, therefore, should be refused planning permission. Furthermore, paragraph 5.4.19 of the supporting statement acknowledges that York Stone Setts would enhance the Conservation Area but concedes that this is not a deliverable option at this juncture. No explanation is offered to explain why this is the case and we have previously explained why such materials are available and deliverable. There has been no attempt by the Council to take this forward or to consider it further.

In considering elements of a conservation area that do not positively contribute to it, PPS5 provides specific advice relating to the handling of applications. Policy HE9.5 states:

*"Where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the World Heritage Site or Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping."*

The application site, in our view, currently detracts from the Conservation Area and, therefore, redevelopment of the site presents an opportunity to devise a scheme (such as that for which SSOBT already have planning permission), which would have a positive impact on the Conservation Area. However, a simple resurfacing scheme cannot be considered the type of enhancement envisaged by this advice. The proposal would simply prolong the negative effects of the current surface treatment and perpetuate the current poor condition of the Conservation Area in this location.

In this context, we must remind you that in consenting to an Order of the High Court quashing the Council's previous planning permission for a similar scheme lay-out, the Council expressly acknowledged that it did so on a number of grounds, including failure to comply with the requirements of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the advice within former PPG15, a failure which is equally manifest in this latest application. It is clear that the same error is to be repeated in the current application, and therefore planning permission should be refused.

The Planning Statement asserts that the proposal will result in an improvement to the appearance of the car park. Policy HE7.6 of PPS5 states:

*"Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision."*

Whilst we would not go so far to say that the Council has deliberately neglected the car park, it is nevertheless under the Council's control and they have responsibility for its upkeep.

Therefore, the current poor state of disrepair of the carpark is the Council's own doing and cannot be a relevant factor taken into account during the decision process in the way proposed. In addition, SSOBT have an extant planning permission in place for beneficial improvement works to the car park, that would significantly enhance the Conservation Area, and the Council have had the option of allowing this development to take place instead of their chosen option of allowing the car park to fall into further disrepair. Again, the Council has failed to take this option forward in any meaningful way and the Council has pursued this application without any further exploration of this alternative (notwithstanding the existing consent and our client's willingness to take this proposal forward).

### Archaeology

The application site is located within the historic core of Tadcaster where there is a very high probability that the development of the site would encounter archaeological remains. Local Plan Policy ENV28 states that where development proposals affect sites of known or possible archaeological interest, an archaeological assessment/evaluation will be required as part of the planning application. Whilst the applicants have submitted a desk-based study, this does not provide sufficient detail to allow the Local Planning Authority to conduct a full and informed assessment.

The August 2003 report into the review of Tadcaster's Conservation Area makes a clear reference (paragraph 2.7) to the possibility that the town centre will contain evidence pertaining to its medieval development. The central area car park is in the centre of this boundary and, therefore, the potential for archaeological remains of significance to be present at this site is high.

We note that the view of the Historic Environment Team of North Yorkshire County Council is that a condition to secure a suitable scheme of archaeological recording would be appropriate. This differs from their response to a recent application for new development at the rear of 19 Westgate (LPA reference: 20100986/FUL), also within the historic core of Tadcaster. Here they advise that a program of evaluation comprising archaeological trial trenching is carried out in advance of a decision being taken. This latter advice is in accordance with the guidance of PPS5 'Planning for the Historic Environment' (2010). These two differing approaches lack consistency and transparency.

This matter cannot be dealt with via a planning condition because a condition has to be capable of being satisfied and the development commencing. Without the investigations/trenching we currently do not know what the situation is. Therefore, in the very likely event of any significant archaeological remains being present, the site may not be capable of being developed in the method proposed, rendering any potential pre-condition in conflict with Circular 11/95.

### Street Furniture

Also of relevance is the design and specification of street furniture and signage associated with the proposal. From the application file and the information submitted it is not possible to determine the colour, appearance or specification of these elements of the proposal. Clearly, these detailed issues will need to be fully considered before any planning permission can be granted, as the introduction of, for example, cycle storage and security rails has potential to harmfully impact upon the character of the conservation area in this location. We would be grateful if you could advise me of when these details are likely to be submitted by the applicant.



## English Heritage

We note English Heritage have decided not to comment on the current application although it is unclear why. However, their previous comments in relation to past applications must still form a material consideration in the determination of the current scheme.

## Design and Landscaping

The Government stresses throughout its advice and guidance, and indeed the Local Plan reiterates, the importance of good urban design and landscaping within all development proposals, and the importance that should be attached to such issues during the determination of any application. Specifically this issue is considered in detail in paragraph 34 of PPS1: Delivering Sustainable Development (2005):

*"Planning authorities should plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available from improving the character and quality of an area and the way it functions, should not be accepted."*

Having assessed the proposals submitted by the District Council to the Planning Department, it is clear that the current proposal represents a bland, unimaginative and disappointing approach to the development of this key site within the core of Tadcaster and one which fails to meet a number of duties that exist in this context. The designer has paid no or scant regard to the aesthetic qualities and features of the town centre and has plainly failed to take account of historic features within the town such as natural stone steps, mounting blocks and other street furniture located along Vicarage Lane. These features, as a very minimum, need to be preserved and would, in any reasonable scheme, be enhanced rather than simply ignored as appears to be the case. A number of other material considerations have been ignored.

There is no specimen tree planting or other areas of landscaping proposed as part of the application. It is obvious that such details would need to be received before determination of the planning application. Whilst the applicant has stated that they would consider improvements to the existing boundary treatment if needed, the impact of this upon the Conservation Area needs to be assessed in advance of a decision being made.

As it stands, without amending the scheme it would not be possible to secure any landscaping on the site. The proposed development merely surfaces over the site and no regard has been had to the need for providing landscaping. Clearly in such an important site, a suitable landscaping scheme should have formed part of the proposals:

## Pedestrian Safety

The application, as it currently stands, makes no provision for safely accommodating the movement of pedestrians to, from and around the car park. Indeed we are sure you will be familiar with the application site and the use of the central area car park as a shortcut by pedestrians seeking the quickest route across town. These pedestrian movements often make use of the numerous pedestrian access points located throughout the frontages of Chapel Street, High Street and Kirkgate.

Whilst provision for pedestrian movements around the wider town centre would be desirable, we consider adequately providing for the safety of pedestrians using the "improved" facility, is of paramount importance. The lack of any formalised traffic circulation pattern, pedestrian access routes or legibility to the scheme upon completion are to our mind serious flaws in the proposal as it currently stands. The application currently makes no provision for the inclusion of public rights of way across the site, and ignores the desirability of separating pedestrian and vehicular movements in and around the development.

In summary, the proposal as it currently stands fails to adequately link existing pedestrian routes (both formal and informal) into the development. We are sure you will be aware that a number of these routes are public rights of way and should, of course, be preserved, protected and, where possible, enhanced. In our opinion, the application currently before the Council comprehensively fails to satisfactorily address these features in the town.

#### Alternative scheme

Our client has, as you know, already obtained planning permission for the alternative development of the Central Area Car Park which addressed all of the concerns that we have raised above. In addition the alternative scheme achieves the redevelopment of a wider area of Tadcaster, the introduction of more sustainable patterns of development within the central area and a comprehensive and wide ranging approach to the problems which face the town.

In addition to the technical merits of their proposal, of which we are sure you are aware, SSOBT's scheme provides an opportunity to enter into a public/private partnership in line with the advice of the Local Plan Inspector at paragraph 19.166 who stated:

*"... there have been problems of litigation and differences of approach which clearly need to be resolved in the interests of the town before a comprehensive scheme is agreed and progressed. I hope this will happen next, and exhort the parties to cooperate on preparing an agreed and comprehensive scheme..."*[our emphasis].

Such a scheme, incorporating a broad suite of redevelopment initiatives, could yield very significant benefits for the economic, social and environmental well-being of Tadcaster. A coordinated approach, led by the implementation of a single masterplan and vision is, to our mind, the only way in which the problems, which remain undisputed by all of the major stakeholders, can be satisfactorily addressed.

The pursuit of the Council's current proposal cannot hope to achieve the aims, objectives and aspirations of those stakeholders or the Council tax payers of Tadcaster. On any basis the Council need to undertake a thorough comparative assessment of both schemes with the benefit of expert professional advice before a decision is made on this proposal. No such comparison has been undertaken, let alone exploration of this alternative.

Accordingly, the grant of planning permission for the Council would not merely be an erroneous planning decision on the merits and in law, it would effectively prevent the introduction of a comprehensive scheme of works which could potentially address the key issues that face Tadcaster at this time and are likely to do so in the future. It is important to emphasise that this is not just a question of what materials any resurfacing scheme utilises, or who pays for what, but represents an opportunity to fundamentally realign the future prospects of Tadcaster.

The Planning Committee considering the proposals currently submitted need to be aware of the above facts.

### Conclusions

Once again, the Council's proposal for an ad hoc "patch up" of the existing town centre environment does in no way satisfactorily address the problems identified above.

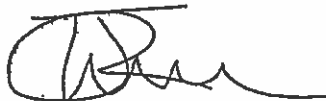
It is interesting to note that on a previous application for this site, the District Council made the point that the Tegula block pavers then proposed, were the most appropriate material, which could be provided on the site within the District Council's budget. By implication, the District Council accepted that the use of tarmac was a less preferable option than the previous proposal for block pavers. In this regard the budget constraints of the local district council cannot be considered to be a satisfactory reason for choosing inappropriate materials for a Conservation Area particularly when there are other options available which overcome these budgetary constraints. It would not be considered acceptable for any other applicant and there is no reason why the Council, as applicant on this occasion, should be treated differently.

Clearly the proposals do not represent a reasonable use of public funds nor do they represent "best value". As you know the comprehensive scheme promoted by SSOBT provides for the landscaping and subsequent maintenance of the Central Area Car Park to be undertaken at their expense. The terms for creating a genuine public/private partnership to achieve this objective have already been set out in correspondence between our clients, their Solicitors and the Council's Chief Executive and include an offer of mediation and safeguards for the Council to ensure satisfactory completion of the work by SSOBT before legal formalities are completed. This is an achievement that could not be bettered by the District Council in terms of 'best value' but there has been a complete failure to take it into account.

We hope that in the light of this letter the Council will withdraw this planning application and embark upon meaningful negotiation with our clients who are enthusiastic to reach agreement and give effect to a public/private partnership for the benefit of Tadcaster. If the Council nevertheless proceeds with the application and it is granted, our clients must inevitably take advice with a view to once again having any consequential unlawful consent granted quashed by the High Court.

Please confirm in writing that the Council will take these representations into account. We would also be grateful if you could contact us if any further information is submitted in support of the proposal, or if the application is amended in any way, before it is determined. If you have any queries or wish to discuss any of the above, please do not hesitate to contact us.

Yours sincerely,



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cc: M Connor, Chief Executive, Selby District Council